IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.444 OF 2006
IN
CRIMINAL APPEAL NO.413 OF 2006

Devendra Manohar Maru, .. Applicant
Vs
The State of Maharashtra, .. Respondent.

Mr M.B.Shirsat, for the applicant.
Mr R.Y.Mirza, APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 8th AUGUST, 2006

P.C.:

1. Heard the learned counsel for the parties.

2. This is an application for bail in the appeal which has already been admitted on merits. The applicant has been convicted with other co-accused mainly under sections 465 and 466 r/w 120-B of Indian Penal Code and sentenced to suffer R.I for seven years and to pay fine of Rs.25,000/- and in default to suffer R.I for one year. In connection with the instant offence the applicant-accused was arrested on 13.11.2000 and since then he is in custody. It is clear that he has already undergone about 5 years and eight months of imprisonment out of seven years sentence awarded by the Sessions Court. Mr Shirsat, learned counsel for the applicant, placed on record the medical papers of the applicant's mother who is suffering from breast cancer. Mr Mirza, learned APP,

on instructions, confirmed the illness of the applicant's mother. Keeping that in view and considering the overall facts and circumstances of the case as also the fact that the applicant has already undergone five years and eight months of imprisonment, the applicant is entitled to be released on bail. Hence, the following order.

(i) The applicant may be released on bail in the sum of Rs.10,000/- with one or two sureties in the like amount subject to condition that he shall deposit the amount of fine within six weeks from the date of his release. He shall also report the concerned police station on every alternate Saturday between 10 and 11 am for a period of two years from the date of his release, and thereafter on first Saturday of every month between 10 and 11 am till disposal of the appeal.

(ii) The application is disposed of.

(D.B.BHOSALE,J.)